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**FISCAL IMPACT STATEMENT**

**LS 6747**

**BILL NUMBER:** SB 314

**NOTE PREPARED:** Dec 16, 2003

**BILL AMENDED:**

**SUBJECT:** Neighborhood Impact Statements.

**FIRST AUTHOR:** Sen. Clark

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill has the following provisions:

- A. It allows a prosecuting attorney in a prosecution involving a controlled substance offense to submit a neighborhood impact statement describing the effect of the offense upon the neighborhood in which it was committed.
- B. It requires the court to consider the neighborhood impact statement when determining what sentence to impose for a controlled substance offense.

**Effective Date:** July 1, 2004.

**Explanation of State Expenditures:** When imposing a sentence for a crime involving controlled substances, the court would be required under this bill to consider any neighborhood impact statement that is prepared by the prosecuting attorney. The court could use this neighborhood impact statement to increase a criminal defendant's sentence. If a defendant's sentence is increased, then the defendant's length of stay in Department of Correction facilities will increase.

The average expenditure to house an adult offender was \$26,825 in FY 2002. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** The prosecuting attorney would have the discretion to prepare a neighborhood impact statement to be presented at the sentencing of a defendant who has been convicted of

violating an offense relating to one or more controlled substances. The penalty for violating a controlled substance chapter can range from a Class A infraction for manufacturing or possessing drug paraphernalia to a Class A felony for dealing in cocaine or a narcotic drug.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Prosecuting attorneys, trial courts with criminal jurisdiction.

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